IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13398 of 2004

Between:

Kancharla Guravaiah, S/o Konda Guravaiah,
R/o Badveedu Village, Pedda Araveedu Mandal, Prakasam District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Markapuram, Prakasam District.
2 The Mandal Revenue Officer, Pedda Aaveedu Mandal,

Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus, to declare the impugned Proceedings bearing R.C.H. /1094/2004 dt. 5-7-2004 of the 1st respondent which was received by the petitioner on 15-7-2004, as illegal, arbitrary, unconstitutional and against to the principles of natural justice and consequently set aside the same and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner:Ms.K.ARUNA

Counsel for the Respondents : GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following O R D E R:

The petitioner is holding an authorization in respect of the fair price shop at Badveedu Village, Pedda Araveedu Mandal, Prakasam District. This writ petition is filed aggrieved by the proceedings dated 05-07-2004, issued by the Revenue Divisional Officer, Markapuram, Prakasam District-the first respondent herein, suspending the authorization of the petitioner as fair price shop dealer, pending enquiry into certain allegations.

Though several grounds have been raised by the petitioner assailing the correctness of the said order, I am not inclined to express any opinion regarding the merits of the case. Admittedly, an efficacious alternative remedy is available to the petitioner by way of appeal before the Joint Collector.

In the circumstances, leave and liberty is granted to the petitioner to file an appeal, against the impugned order, before the Joint Collector, in which event the same shall be considered in accordance with law, and appropriate orders shall be passed. However, if the petitioner has not handed over the charge as on today, there shall be a direction to the respondents to allow him to distribute the commodities for a period of two weeks from today, so as to enable him to avail the remedy of appeal.

The writ petition is accordingly disposed of. No order as to costs.

_____

30-07-2004

Note:Furnish C.C by Monday

B/o

vrn

To

1 The Revenue Divisional Officer, Markapuram, Prakasam District.
2 The Mandal Revenue Officer, Pedda Aaveedu Mandal,

Prakasam District.

3 Two C.Cs to the Government Pleader for Civil Supplies,

High Court Buildings, A.P., Hyderabad (OUT)

4 Two C.D copies.